

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

SHANE A. AKE,

Plaintiff,

v.

R. KIEFFER, et al.,

Defendants.

CAUSE NO. 3:21-CV-709-DRL-MGG

ORDER

Shane A. Ake, a prisoner without a lawyer, filed a letter asking the court to waive the remaining balance of the filing fee in this case. ECF 28. However, because Ake is a prisoner, he is subject to the requirements of 28 U.S.C. § 1915(b) and must pay the entire filing fee in accordance with the procedures set forth in that statute. *See* 28 U.S.C. § 1915(b); *Hains v. Washington*, 131 F.3d 1248, 1250 (7th Cir. 1997) (“[T]he filing of a complaint (or appeal) is the act that creates the obligation to pay fees, and what the judge does later does not relieve a litigant of this responsibility.”). The court does not have authority to waive the fee or to modify the amount or timing of payments. *Lucien v. DeTella*, 141 F.3d 773, 776 (7th Cir. 1998); *see also Newlin v. Helman*, 123 F.3d 429, 436 (7th Cir. 1997). Accordingly, because Ake is obligated to pay the filing fee in accordance with the procedures set forth in 28 U.S.C. § 1915(b), his request (ECF 28) is DENIED.

SO ORDERED on December 21, 2022

s/ Michael G. Gotsch, Sr.  
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Michael G. Gotsch, Sr.  
United States Magistrate Judge